



S009450%\$%2005

2003, 2004, 2005

STATE WATER RESOURCES
CONTROL BOARD
2006 AUG 16 AM 11:36
DIV OF WATER RIGHTS
SACRAMENTO

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

If the information below is inaccurate, please line it out in red and provide current information.
Notify this office if ownership or address changes occur during the coming year.

Please Complete and Return This Form by JULY 1, 2005.

***If the mail recipient's name, address or phone No. is wrong or missing, please correct.**

Owner of Record: VIRGIL H MENELEE;

PRIMARY CONTACT OR AGENT FOR MAIL & REPORTING:

VIRGIL H MENELEE
1624 PACHECO BLVD
LOS BANOS, CA 93635

STATEMENT NO.: S009450
CONTACT PHONE NO.: (209)826-3212

Source Name: FERN SPRINGS
Tributary To: SAN LUIS CREEK
County: Merced

Year of First Use: 1940

Diversion Within: NE1/4 of NE1/4 Section 23, T11S, R07E, MB&M

Parcel Number:

A. **Water is Used Under:** Riparian claim ☒ Pre-1914 right ☐ Other (explain):

B. **Year of First Use:** (Please provide if missing above)

C. **Amount of Use:** Enter the amount (or the approximate amount) of water used each month, using the table below.

Amounts below are in: Gallons				Million Gallons (MG)			Acre-feet (AF)			Other			
Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total Annual
2003	50,000	30,000	60,000	100,000	100,000	100,000	120,000	120,000	120,000	120,000	70,000	50,000	1,06 × 10 ⁶
2004	50,000	50,000	60,000	100,000	100,000	100,000	120,000	120,000	120,000	120,000	70,000	50,000	1,06 × 10 ⁶
2005	50,000	50,000	60,000	100,000	100,000	100,000	120,000	120,000	120,000	120,000	70,000	50,000	1,06 × 10 ⁶

D. **Purpose of Use** – Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation acres; Stockwatering 300 pair; Domestic

Other (specify)

E. **Changes in Method of Diversion** – Describe any changes in your project since your previous statement was filed.
(New pump, enlarged diversion dam, location of diversion, etc.)
None

F. Please answer only those questions below which are applicable to your project.

1. Conservation of water

a. Are you now employing water conservation efforts? YES ☐ NO ☐

Describe any water conservation efforts you have initiated:

b. If you are claiming credit for water conservation under section 1011 of the Water Code for your claimed pre-1914 appropriative right, please show the amount of water conserved:

Reduction in Diversions:

Year (AF/MG) Year (AF/MG) Year (AF/MG)

Reduction in consumptive use:

Year (AF/MG) Year (AF/MG) Year (AF/MG)

I have data to support the above surface water use reductions due to conservation efforts. YES ☐ NO ☐

2. Water quality and wastewater reclamation

- a. Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree, which unreasonably affects such water for other beneficial uses? YES ____ NO ____.
- b. If you are claiming credit due to the substitution of reclaimed water, desalinated water or polluted water in lieu of a claimed pre-1914 appropriative right under section 1010 of the Water Code, please show amounts of reduced diversions and amounts of substitute water supply used:

Amount of reduced diversion:
Year ____ (AF/MG) Year ____ (AF/MG) Year ____ (AF/MG)

State the type of substitute water supply: _____

Amount of substitute water supply used:
Year ____ (AF/MG) Year ____ (AF/MG) Year ____ (AF/MG)

I have data to support the above surface water use reductions due to the use of a substitute water supply. YES ____ NO ____.

3. Conjunctive use of surface water and groundwater

- a. Are you now using groundwater in lieu of surface water? YES ____ NO ____.
- b. If you are claiming credit due to the substitution of groundwater for a claimed pre-1914 appropriative right under section 1011.5 of the Water Code, please show the amounts of groundwater used:

Year ____ (AF/MG) Year ____ (AF/MG) Year ____ (AF/MG)

I have data to support the above surface water use reductions due to the use of groundwater. YES ____ NO ____.

I understand that it may be necessary to document the water savings claimed in "F" above if credit under Water Code sections 1010 and 1011 is sought in the future.

I declare that the information in this report is true to the best of my knowledge and belief.

DATE: 6/30, 2006 at Los Banos, California

SIGNATURE: _____

PRINTED NAME: Jerry V Menefee
(first name) (middle initial) (last name)

COMPANY NAME: Menefee Hill Ranch

If there is insufficient space for your answers, please use the space provided below.

ITEM	CONTINUATION
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or to divert water which originates in a different watershed, water previously stored by others, return flows from use of groundwater, or other "foreign" water to the natural stream system.

An appropriative right is required for use of water on non-riparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914, new appropriators have been required to obtain a permit and license from the State. Appropriative rights can be granted to waters "foreign" to the natural stream system.

Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users as set forth in Water Code section 5100 with specific exceptions. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversions, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include: (1) Statements of Water Diversion and Use, (2) Information Pertaining to Water Rights in California, and (3) Appropriation of Water in California.

5-9 450

*** PLEASE COMPLETE, SUBMIT THE ORIGINAL AND MAKE A COPY FOR YOUR RECORDS ***

STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

P.O. BOX 2000 SACRAMENTO, CA 95812-2000

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

STATEMENT NO: S009450
OWNER OF RECORD: VIRGIL H MENEFEE

VIRGIL H MENEFEE
1624 PACHECO BLVD
LOS BANOS, CA 93635

SOURCE: FERN SPRINGS
TRIBUTARY TO: SAN LUIS CREEK
COUNTY: MERCED
DIVERSION
WITHIN: NE¼ OF NE¼ SECTION 23, T11S, R7E, MDB&M.

TELEPHONE NUMBER:
(209) 826-3212
YEAR OF FIRST USE: 1940
PARCEL NO:

(If any of the above information is inaccurate or missing, please correct. Notify this office if ownership or address changes occur during the coming year.)

COMPLETE AND RETURN THIS FORM BY JULY 1, 1995

A. Water is used under: Riparian claim ☒; Pre 1914 right _____; Other (explain) _____

B. Year of first use (Please provide if missing above) 1940

C. Amount of Use - Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: ☒ Gallons ☐ Acre-feet ☐ (other) _____

	JAN.	FEB.	MAR.	APR.	MAY	JUNE	JULY	AUG.	SEPT.	OCT.	NOV.	DEC	TOTAL ANNUAL
1992	50,000	50,000	75,000	100,000	120,000	120,000	120,000	120,000	120,000	120,000	75,000	50,000	1,124,000
1993	50,000	50,000	75,000	100,000	120,000	120,000	120,000	120,000	120,000	120,000	75,000	50,000	1,124,000
1994	50,000	50,000	75,000	100,000	120,000	120,000	120,000	120,000	120,000	120,000	75,000	50,000	1,124,000

D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.
Irrigation _____ acres; Stockwatering ☒; Domestic _____
Other (specify) _____

*** CONTINUE ON BACK PAGE ***

STATE WATER RESOURCES CONTROL BOARD
DIV. OF WATER RIGHTS
SACRAMENTO
1995 JUN 26 PM 3:33
WR40-1 (1/95)

*** PLEASE COMPLETE, SUBMIT THE ORIGINAL AND MAKE A COPY FOR YOUR RECORDS ***

- E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

- F. If part of the water listed in Part C consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: 6/12/, 1995, at La Brea, California
SIGNATURE: [Signature]
PRINTED NAME: Jerry Virgil Martinez
(FIRST NAME) (M. NAME) (LAST NAME)
COMPANY NAME: Menden Hill Ranch

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or to divert water which originates in a different watershed, or return flows from use of groundwater.

An appropriative right is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914 new appropriators have been required to obtain a permit and license from the State.

Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversion, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include:

- "Statements of Water Diversion and Use"
- "Information Pertaining to Water Rights in California"
- "Water Rights for Stockpounds Constructed Prior to 1969"
- "Appropriation of Water in California"

STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS
P.O. Box 2000
Sacramento, CA 95812-2000

STATEMENT OF WATER DIVERSION AND USE
INFORMATION SHEET

STATEMENT NO. 5009450

DIVERSION SITE:

OWNER'S NAME _____
(FIRST) (MIDDLE) (LAST)

PARCEL NO. _____

PLACE OF USE:

OWNER'S NAME Merate Hill Ranch.
(FIRST) (MIDDLE) (LAST)

1. PARCEL NO. _____

2. PARCEL NO. _____

3. PARCEL NO. _____

PERSON OR FIRM TO RECEIVE ALL CORRESPONDENCE AND SUPPLEMENTAL
STATEMENTS:

OWNER/LESSEE/AGENT/OTHER _____

NAME Jerry Ungil Merate
(FIRST) (MIDDLE) (LAST)

MAILING ADDRESS 1624 Pacheco
Los Banos Ca 93635
(CITY) (STATE) (ZIP)

TELEPHONE NO. (209) 826 - 3212

OTHERS USING ABOVE DIVERSION LOCATION:

1. NAME _____
(FIRST) (MIDDLE) (LAST)

MAILING ADDRESS _____
(CITY) (STATE) (ZIP)

TELEPHONE NO. () -

2. NAME _____
(FIRST) (MIDDLE) (LAST)

MAILING ADDRESS _____
(CITY) (STATE) (ZIP)

TELEPHONE NO. () -

☐ ADDITIONAL INFORMATION CONTINUED ON BACK OF PAGE OR ATTACHED

PLEASE USE THE OTHER SIDE TO PROVIDE THE ABOVE INFORMATION FOR
ADDITIONAL OWNERS OR PLACES OF USE AND CHECK THE ADDITIONAL
INFORMATION BOX.

STATE WATER RESOURCES CONTROL BOARD
Division of Water Rights

P.O. BOX 2000 SACRAMENTO, CA 95810
901 P ST. SACRAMENTO, CA
(916) 322-4503

(916) 324-5676
SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

STATE WATER RESOURCES
CONTROL BOARD

1992 FEB 13 PM 4:00

DIVERTER OF RECORD:

VIRGIL H MENEFFEE
1624 PACHECO BLVD
LOS BANOS, CA 93035

STATEMENT RIGHTS 009450
DIV. OF WATER RIGHTS
SACRAMENTO

TELEPHONE NUMBER:
(209) 826-3212

IF NAME/ADDRESS/PHONE NO. IS WRONG OR MISSING, PLEASE CORRECT.

SOURCE: FERN SPRINGS

TRIBUTARY TO: SAN LUIS CREEK

COUNTY: MERCED

DIVERSION

WITHIN: NE1/4 OF NE1/4 SECTION 23, T11S, R07E, MDB&M.

INSTRUCTIONS: Please complete Items A, B and C. Item D should be completed if you replaced all or part of your regular water supply with reclaimed or polluted water. RETURN THIS FORM BY JULY 1, 1992. (Additional information on reverse side of this form.)

- A. Amount of Use - Fill in the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.
- Amounts below are: ☐ Gallons ☐ Acre-feet ☐ _____ (other)

	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
1989	X	X	X	X	X	X	X	X	X	X	X	X	
1990	X	X	X	X	X	X	X	X	X	X	X	X	
1991	X	X	X	X	X	X	X	X	X	X	X	X	

- B. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation _____

Stockwatering

Provides water for stock.

Domestic

provides water for residence

Other (specify) _____

- C. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

w/o change

- D. If part of the water listed in Part A consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED:

2/8/

19 *92* at

Los Banos

California

Signature: *[Signature]*

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
Division of Water Rights

P.O. BOX 2000 SACRAMENTO, CA 95810
901 P ST. SACRAMENTO, CA
(916) 322-4503

STATE WATER RESOURCES
CONTROL BOARD

(916) 324-5676
SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

1988 DEC 30 PM 2:03

DIV. OF WATER RIGHTS
STATEMENT NO: 009450
SACRAMENTO

DIVERTER OF RECORD:

VIRGIL H MENEFEE
1624 PACHECO BLVD
LOS BANOS, CA 93635

Cons. Naderhauer

TELEPHONE NUMBER:
(209) 826-3212

IF NAME/ADDRESS/PHONE NO. IS WRONG OR MISSING, PLEASE CORRECT.

SOURCE: FERN SPRINGS

TRIBUTARY TO: SAN LUIS CREEK

COUNTY: MERCED

DIVERSION

WITHIN: NE1/4 OF NE1/4 SECTION 23, T11S, R07E, MDB&M.

INSTRUCTIONS: Please complete Items A, B and C. Item D should be completed if you replaced all or part of your regular water supply with reclaimed or polluted water. RETURN THIS FORM BY JULY 1, 1989. (Additional information on reverse side of this form.)

- A. Amount of Use - Fill in the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.
- Amounts below are: ☐ Gallons ☐ Acre-feet ☐ _____ (other)

	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
1986	X	X	X	X	X	X	X	X	X	X	X	X	
1987	X	X	X	X	X	X	X	X	X	X	X	X	
1988	X	X	X	X	X	X	X	X	X	X	X	X	

- B. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation _____

Stockwatering Provides water for stock - Number of Cattle Watered/Year.

Domestic provides water for 1 house.

Other (specify) _____

- C. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

N/A

- D. If part of the water listed in Part A consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: 12/29/88, 19____, at Los Banos, California

Signature: [Signature]

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- "Appropriation of Water in California"

STATEMENT OF WATER DIVERSION AND USE

(This is not a Water Right)

This statement should be typewritten or legibly written in ink.

S9450

A. Name of person diverting water Virgil H. Menefee
 Address 1624 Pacheco Blvd Telephone: 209-826-3212

B. Name of body of water at point of diversion Fern Springs (headwater of Portuguese Creek)
 Tributary to San Luis Creek

C. Place of diversion NE 1/4 NE 1/4 Section 23, Township 11S, Range 7 E, MD B&M,
Merced County, or locate it on sketch of section grid on reverse side with regard to section lines or prominent local landmarks.

D. Name of works Fern Springs

E. Capacity of diversion works 10 cubic feet per second
 Capacity of storage reservoir 10'x15'x3' Trough Approx. 3300 gallons per minute
 State quantity of water used each month in gallons or acre-feet Figures below in x 1000

Year	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
1976	432	432	432	432	432	432	432	432	432	432	432	432	119 acre-feet

If monthly and annual use are not known, check months in which water was used. State extent of use in units, such as acres of each crop irrigated, average number of persons served, number of stock watered, etc.
100 head of range cattle

Maximum annual water use in recent years _____ gallons
 Minimum annual water use in recent years _____ acre-feet
 Type of diversion facility: gravity X, pump _____

Method of measurement: weir _____, flume _____, electric power meter _____, water meter _____, estimate X

F. Purpose of use (what water is being used for) stockwatering

G. General description or location of place of use (use sketch of section grid on reverse side if you desire)
Drinking place at the sight of spring

H. Year of first use as nearly as known 1940

I. Name of person filing statement Virgil H. Menefee (President)

Position President Organization Menefee Hill Ranch Company

Address 1624 Pacheco Blvd, Los Banos, CA 93635 Telephone: 209-826-3212

I declare under penalty of perjury that the above is true and correct to the best of my knowledge and belief.

DATED: 10-20, 19 77, at Los Banos, California.

Signature: Virgil H. Menefee

See Instructions on Reverse Side